

DOCKET NO.: HER-0050



GAU 1646

PATENT

P#15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Carla H. Kuhner et al.

Serial No.: 09/882,781

Group Art Unit: 1646

Filing Date: June 15, 2001

Examiner: A. Navarro

For: CHEMICALLY-MODIFIED PEPTIDES, COMPOSITIONS, AND  
METHODS OF PRODUCTION AND USE

DATE OF DEPOSIT: October 31, 2002

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Felicity E. Groth  
TYPED NAME: Felicity E. Groth  
REGISTRATION NO.: 47,042

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

In accordance with §1.97(b), since this Information Disclosure Statement is being

filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first office action after the filing of request for continued examination under §1.114, no additional fee is required.

- In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:
  - Certification in Accordance with §1.97(e) is attached; or
  - The fee of \$180.00 as set forth in §1.17(p) is attached.
- In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:
  - Certification in Accordance with §1.97(e) is attached; or
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- In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of \$180.00 as set forth in §1.17(p).
- Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
  - In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
  - In accordance with §1.98(d), copies of the following references listed on

the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:

- Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

This form is submitted in duplicate.

Enclosed is a copy of the Search Report dated October 2, 2002, from corresponding International Application No. PCT/US01/19400, which indicates the references considered to be relevant.

English language abstracts are included for those listed references which are not in the English language.

Date: *October 31, 2002*

*Felicity E Groth*  
Felicity E. Groth  
Registration No. 47,042

WOODCOCK WASHBURN LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

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<b>Form PTO-1449 Modified</b>		Docket No. <b>HER-0050</b>	Serial No. <b>09/882,781</b>
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		Applicant <b>Carla H. Kuhner et al.</b>	
U.S. Department of Commerce Patent and Trademark Office		Filing Date <b>June 15, 2001</b>	Group <b>1646</b>

**U. S. PATENT DOCUMENTS**

<b>Examiner Initial</b>		<b>Document No.</b>	<b>Date</b>	<b>Name</b>	<b>Class</b>	<b>Subclass</b>
	<b>8</b>	3,265,682	08/09/66	Vogler et al.	260	112.5
	<b>9</b>	4,448,715	05/15/84	Ryan et al.	260	112.5
	<b>10</b>	5,654,451	08/05/97	Kari	554	35

**FOREIGN PATENT DOCUMENTS**

<b>Examiner Initial</b>		<b>Document No.</b>	<b>Date</b>	<b>Country</b>	<b>Translation</b>	
					<b>YES</b>	<b>NO</b>
	<b>11</b>	0 280 610 A1	08/31/88	EP	X (abstract only)	
	<b>12</b>	0 618 225 A1	10/05/94	EP	X (abstract only)	
	<b>13</b>	1 237 918 A	07/07/71	GB		
	<b>14</b>	92/01462 A1	02/06/92	WO		
	<b>15</b>	95/19370 A1	07/20/95	WO		
	<b>16</b>	96/40768 A2 & A3	12/19/96	WO		
	<b>17</b>	98/07745 A2 & A3	02/26/98	WO		
	<b>18</b>	99/14231 A2 & A3	03/25/99	WO	X (abstract only)	
	<b>19</b>	99/37667 A1	07/29/99	WO		
	<b>20</b>	00/00214 A2 & A3	01/06/00	WO		
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>		



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<b>Form PTO-1449 Modified</b>		Docket No. <b>HER-0050</b>	Serial No. <b>09/882,781</b>
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U.S. Department of Commerce Patent and Trademark Office		Filing Date <b>June 15, 2001</b>	Group <b>1646</b>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	<b>21</b>	Nakamura, H. et al., "Antibacterial Activity of Amphipathic Basic Peptides with a Long Acyl Group and Their Interaction with Phospholipid Bilayers," <i>Bull Chem Soc Jpn</i> , April 1, 1990, 63(4), 1180-1184	
	<b>22</b>	International Search Report from corresponding PCT Application PCT/US01/19400; Date of Mailing: October 2, 2002	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	